

HOGAN & HARTSON  
L.L.P.

September 16, 2004

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*Via hand delivery*

DOCKET FILE COPY ORIGINAL

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 Twelfth Street, SW  
Washington, DC 20554

Ms. Lisa Zaina  
Chief Executive Officer  
Universal Service Administrative Company  
2000 L Street, NW Suite 200  
Washington, DC 20036

RECEIVED

SEP 16 2004

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

RE: CC Docket No. 96-45  
Certifications of Western Wireless Corporation for universal service funds

Dear Ms. Dortch and Ms. Parrino:

On behalf of Western Wireless Corporation ("Western Wireless"), I have enclosed 15 sworn affidavits of Gene DeJordy, Vice President, Regulatory Affairs, attesting that Western Wireless will utilize the federal high-cost universal service support that it will receive in its designated ETC service areas in the states and territory listed below only for the provision, maintenance, and upgrading of facilities and services for which the support is intended.

- California
- Colorado
- Iowa
- Kansas
- Minnesota
- Nebraska
- New Mexico
- Nevada
- North Dakota
- Oklahoma
- Pine Ridge Reservation in South Dakota
- South Dakota

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Ms. Dortch and Ms. Zaina  
September 16, 2004  
Page Two

- Texas
- Utah
- Wyoming

Please feel free to contact me at 202-637-6522 if you have questions.

Sincerely,

A handwritten signature in black ink, reading "Angela E. Giancarlo". The signature is fluid and cursive, with the first name "Angela" and last name "Giancarlo" clearly visible.

Angela E. Giancarlo  
*Counsel for Western Wireless Corporation*

Attachments

## California

DESIGNATION OF COMMON CARRIERS	§	FEDERAL
AS ELIGIBLE TELECOMMUNICATIONS	§	
CARRIERS (ETC) TO RECEIVE FEDERAL	§	COMMUNICATIONS
UNIVERSAL SERVICE FUNDS PURSUANT	§	
TO THE FEDERAL COMMUNICATIONS	§	COMMISSION
COMMISSION'S FOURTEENTH REPORT	§	
AND ORDER ADOPTING A STATE	§	
CERTIFICATION PROCESS	§	

STATE OF WASHINGTON  
COUNTY OF KING

DECLARATION OF GENE DEJORDY

1. My name is Gene DeJordy. My title is Vice President, Regulatory Affairs, Western Wireless Corporation. My business address is 3650 – 131st Ave., S.E., Suite 400, Bellevue, Washington 98006, and my business telephone number is (425) 586-8055.

2. WWC License LLC, a wholly-owned subsidiary of Western Wireless Corporation (both referred to as “Western Wireless”), is a commercial mobile radio service (“CMRS”) carrier that is not subject to rate and entry regulation by the California Public Utilities Commission pursuant to Section 332(c)(3) of the Communications Act, as amended (the “Act”). In California, Western Wireless was designated as an eligible telecommunications carrier (“ETC”) in certain non-rural telephone company exchanges of Pacific Bell and Verizon by the California Public Utilities Commission, for purposes of receiving federal universal service support. See Resolution T-16436 by Order dated July 20, 2000. Section 254(e) of the Act, 47 U.S.C. § 254(e), provides that ETCs receiving universal service funding must “use

that support only for the provision, maintenance, and upgrading of facilities and services for which the support is intended.” To implement this provision, the Federal Communications Commission (“FCC”) adopted a rule providing that an ETC may receive certain types of federal universal service funding only if the state commission files a certification that all federal high-cost support provided to the carrier will be used as required in Section 254(e). 47 C.F.R. § 54.313 -- § 54.314.

3. The FCC has stated that carriers that are not subject to rate regulation by state commissions “may formulate plans to ensure compliance with section 254(e), and present those plans to the state, so that the state may make the appropriate certification to the Commission.” *Federal-State Joint Board on Universal Service*, Ninth Report and Order and Eighteenth Order on Reconsideration, 14 FCC Rcd 20432, ¶ 97 (rel. Nov. 2, 1999); *Federal-State Joint Board on Universal Service*, Fourteenth Report and Order and Twenty-Second Order on Reconsideration, 16 FCC Rcd 11244 ¶ 188 (rel. May 23, 2001). Western Wireless is also submitting the following certification to the FCC and USAC.

4. As certified herein, Western Wireless will utilize all federal high-cost universal service support that it will receive in its designated ETC service area in California only for the provision, maintenance, and upgrading of facilities and services for which the support is intended.


5. First, Western Wireless will use federal high cost universal service funds to provide universal service.

6. Second, Western Wireless will use federal high cost universal service funds to support the deployment of the facilities used to offer the supported universal service.


7. Third, Western Wireless will use federal high cost universal service funds to support the upgrading and maintenance of the network facilities to the extent necessary to provide the supported service. To ensure that it provides high-quality service to all universal service customers – particularly customers in remote areas who may be distant from existing Western Wireless cell sites – Western Wireless may need to expand its cellular network facilities, possibly including the installation of additional cell sites, transmitters, and receivers. This is so because universal service customers have higher network usage, coverage, and signal quality requirements.

8. All of the federal high cost universal service funds that Western Wireless receives will be used to support the programs described above. Accordingly, Western Wireless will be in compliance with 47 U.S.C. § 254(e), and the Commission should file a certification letter to that effect pursuant to 47 C.F.R. § 54.313 and § 54.314.

I declare under penalty of perjury that the foregoing is true and correct.

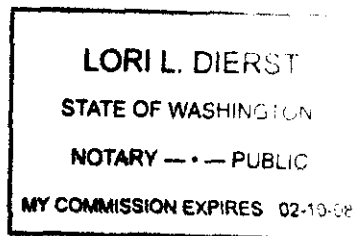
  
Gene DeJordy, Esq.

SWORN TO AND SUBSCRIBED BEFORE ME, the undersigned authority, on this the 7<sup>th</sup> day of September, 2004.

  
Notary Public

State of Washington

SEAL:



## Colorado



DESIGNATION OF COMMON CARRIERS	§	FEDERAL
AS ELIGIBLE TELECOMMUNICATIONS	§	
CARRIERS (ETC) TO RECEIVE FEDERAL	§	COMMUNICATIONS
UNIVERSAL SERVICE FUNDS PURSUANT	§	
TO THE FEDERAL COMMUNICATIONS	§	COMMISSION
COMMISSION'S FOURTEENTH REPORT	§	
AND ORDER ADOPTING A STATE	§	
CERTIFICATION PROCESS	§	

STATE OF WASHINGTON  
COUNTY OF KING

DECLARATION OF GENE DEJORDY

1. My name is Gene DeJordy. My title is Vice President, Regulatory Affairs, Western Wireless Corporation. My business address is 3650 – 131st Ave., S.E., Suite 400, Bellevue, Washington 98006, and my business telephone number is (425) 586-8055.

2. WWC Holding Co. Inc., a wholly-owned subsidiary of Western Wireless Corporation (both referred to as “Western Wireless”), is a commercial mobile radio service (“CMRS”) carrier that is not subject to rate and entry regulation by the Colorado Public Utilities Commission pursuant to Section 332(c)(3) of the Communications Act of 1934, as amended. In Colorado, Western Wireless was designated as an eligible telecommunications carrier (“ETC”) in portions of non-rural telephone company exchanges and certain rural telephone company study areas by the Colorado Public Utilities Commission, for purposes of receiving federal and state universal service support. See In the Matter of the Application of WWC Holding Co., Inc. for Designation as an Eligible Telecommunications Carrier, Report

and Order, Colorado Docket No. 00K- 255T by order dated January 8, 2001. Section 254(e) of the Communications Act, 47 U.S.C. § 254(e), provides that ETCs receiving universal service funding must “use that support only for the provision, maintenance, and upgrading of facilities and services for which the support is intended.” To implement this provision, the Federal Communications Commission (“FCC”) adopted a rule providing that an ETC may receive certain types of federal universal service funding only if the state commission files a certification that all federal high-cost support provided to the carrier will be used as required in Section 254(e). 47 C.F.R. § 54.313 -- § 54.314.

3. The FCC has stated that carriers that are not subject to rate regulation by state commissions “may formulate plans to ensure compliance with section 254(e), and present those plans to the state, so that the state may make the appropriate certification to the Commission.” *Federal-State Joint Board on Universal Service*, Ninth Report and Order and Eighteenth Order on Reconsideration, 14 FCC Rcd 20432, ¶ 97 (rel. Nov. 2, 1999); *Federal-State Joint Board on Universal Service*, Fourteenth Report and Order and Twenty-Second Order on Reconsideration, 16 FCC Rcd 11244 ¶ 188 (rel. May 23, 2001). Western Wireless, therefore, submits the following plan to the FCC and USAC.

4. As certified herein, Western Wireless will utilize all federal high-cost universal service support that it will receive in its designated ETC service area in Colorado only for the provision, maintenance, and upgrading of facilities and services for which the support is intended.

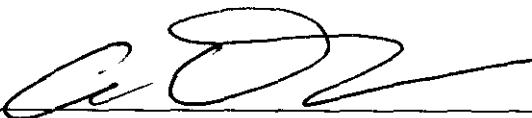
5. First, Western Wireless will use federal high cost universal service funds to provide universal service.

6. Second, Western Wireless will use federal high cost universal service funds to support the deployment of the facilities used to offer the supported universal service.

7. Third, Western Wireless will use federal high cost universal service funds to support the upgrading and maintenance of the network facilities to the extent necessary to provide the supported service. To ensure that it provides high-quality service to all universal service customers – particularly customers in remote areas who may be distant from existing Western Wireless cell sites – Western Wireless may need to expand its cellular network facilities, possibly including the installation of additional cell sites, transmitters, and receivers. This is so because universal service customers have higher network usage, coverage, and signal quality requirements.

8. All of the federal high cost universal service funds that Western Wireless receives will be used to support the programs described above. Accordingly, Western Wireless will be in compliance with 47 U.S.C. § 254(e), and the Commission should file a certification letter to that effect pursuant to 47 C.F.R. § 54.313 and § 54.314.

I declare under penalty of perjury that the foregoing is true and correct.

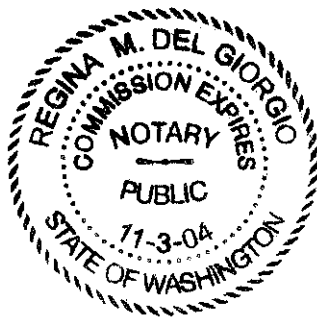
  
Gene DeJordy, Esquire

SWORN TO AND SUBSCRIBED BEFORE ME, the undersigned authority, on this the 20<sup>th</sup> day of July, 2004.

  
Notary Public

State of Washington

SEAL:



## Iowa

DESIGNATION OF COMMON CARRIERS	§	FEDERAL
AS ELIGIBLE TELECOMMUNICATIONS	§	
CARRIERS (ETC) TO RECEIVE FEDERAL	§	COMMUNICATIONS
UNIVERSAL SERVICE FUNDS PURSUANT	§	
TO THE FEDERAL COMMUNICATIONS	§	COMMISSION
COMMISSION'S FOURTEENTH REPORT	§	
AND ORDER ADOPTING A STATE	§	
CERTIFICATION PROCESS	§	

STATE OF WASHINGTON  
COUNTY OF KING

DECLARATION OF GENE DEJORDY

1. My name is Gene DeJordy. My title is Vice President, Regulatory Affairs, Western Wireless Corporation. My business address is 3650 – 131st Ave., S.E., Suite 400, Bellevue, Washington 98006, and my business telephone number is (425) 586-8055.

2. WWC License LLC, a wholly-owned subsidiary of Western Wireless Corporation (both referred to as “Western Wireless”), is a commercial mobile radio service (“CMRS”) carrier that is not subject to rate and entry regulation by the Iowa Utilities Board pursuant to Section 332(c)(3) of the Communications Communications Act of 1934, as amended (the “Act”). In Iowa, Western Wireless was designated as an eligible telecommunications carrier (“ETC”) in certain non-rural telephone company exchanges and rural telephone company study areas by the Iowa Utilities Board, for purposes of receiving federal universal service support. See In the Matter of the Application of WWC License LLC for Designation as an Eligible Telecommunications Carrier, Report and Order, Iowa Docket No.199 IAC 39.2(4) by order dated November 21, 2000. Section 254(e) of the Act, 47 U.S.C.

§ 254(e), provides that ETCs receiving universal service funding must “use that support only for the provision, maintenance, and upgrading of facilities and services for which the support is intended.” To implement this provision, the Federal Communications Commission (“FCC”) adopted a rule providing that an ETC may receive certain types of federal universal service funding only if the state commission files a certification that all federal high-cost support provided to the carrier will be used as required in Section 254(e). 47 C.F.R. § 54.313 -- § 54.314.

3. The FCC has stated that carriers that are not subject to rate regulation by state commissions “may formulate plans to ensure compliance with section 254(e), and present those plans to the state, so that the state may make the appropriate certification to the Commission.” *Federal-State Joint Board on Universal Service*, Ninth Report and Order and Eighteenth Order on Reconsideration, 14 FCC Rcd 20432, ¶ 97 (rel. Nov. 2, 1999); *Federal-State Joint Board on Universal Service*, Fourteenth Report and Order and Twenty-Second Order on Reconsideration, 16 FCC Rcd 11244 ¶ 188 (rel. May 23, 2001). Western Wireless is also submitting the following certification to the FCC and USAC.

4. As certified herein, Western Wireless will utilize all federal high-cost universal service support that it will receive in its designated ETC service area in Iowa only for the provision, maintenance, and upgrading of facilities and services for which the support is intended.

5. First, Western Wireless will use federal high cost universal service funds to provide universal service.


6. Second, Western Wireless will use federal high cost universal service funds to support the deployment of the facilities used to offer the supported universal service.

7. Third, Western Wireless will use federal high cost universal service funds to support the upgrading and maintenance of the network facilities to the extent necessary to provide the supported service. To ensure that it provides high-quality service to all universal service customers – particularly customers in remote areas who may be distant from existing Western Wireless cell sites – Western Wireless may need to expand its cellular network facilities, possibly including the installation of additional cell sites, transmitters, and receivers. This is so because universal service customers have higher network usage, coverage, and signal quality requirements.

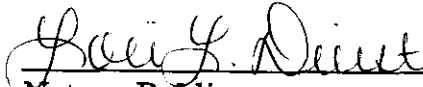
8. All of the federal high cost universal service funds that Western Wireless receives will be used to support the programs described above. Accordingly, Western Wireless will be in compliance with 47 U.S.C. § 254(e), and the Commission should file a certification letter to that effect pursuant to 47 C.F.R. § 54.313 and § 54.314.



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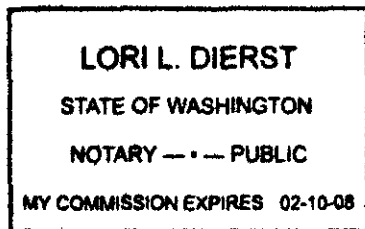
  
Gene DeJordy, Esq

SWORN TO AND SUBSCRIBED BEFORE ME, the undersigned authority, on this the 7<sup>th</sup> day of September, 2004.

  
Notary Public

State of Washington

SEAL:



## Kansas

DESIGNATION OF COMMON CARRIERS	§	FEDERAL
AS ELIGIBLE TELECOMMUNICATIONS	§	
CARRIERS (ETC) TO RECEIVE FEDERAL	§	COMMUNICATIONS
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2. WWC License LLC, a wholly-owned subsidiary of Western Wireless Corporation (both referred to as “Western Wireless”), is a commercial mobile radio service (“CMRS”) carrier that is not subject to rate and entry regulation by the Kansas Corporation Commission pursuant to Section 332(c)(3) of the Communications Act of 1934, as amended (the “Act”). In Kansas, Western Wireless was designated as an eligible telecommunications carrier (“ETC”) in certain non-rural telephone company exchanges and certain rural telephone company study areas by the Kansas Corporation Commission, for purposes of receiving federal universal service support. See In the Matter of the Application of WWC License LLC for Designation as an Eligible Telecommunications Carrier, Report and Order, Kansas Docket No. 99-GCCZ-156-ETC by order dated January 18, 2000, and by

Order dated October 12, 2001. Section 254(e) of the Act, 47 U.S.C. § 254(e), provides that ETCs receiving universal service funding must “use that support only for the provision, maintenance, and upgrading of facilities and services for which the support is intended.” To implement this provision, the Federal Communications Commission (“FCC”) adopted a rule providing that an ETC may receive certain types of federal universal service funding only if the state commission files a certification that all federal high-cost support provided to the carrier will be used as required in Section 254(e). 47 C.F.R. § 54.313 -- § 54.314.

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4. As certified herein, Western Wireless will utilize all federal high-cost universal service support that it will receive in its designated ETC service area in Kansas only for the provision, maintenance, and upgrading of facilities and services for which the support is intended.

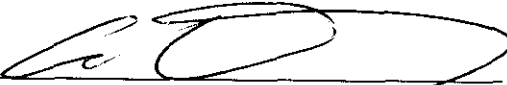
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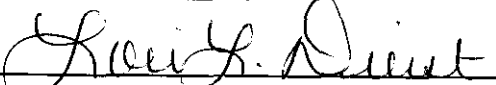
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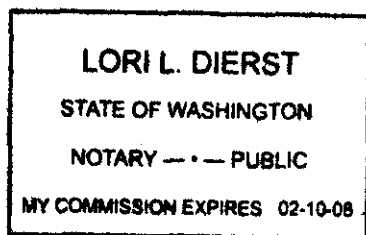
  
Gene DeJordy, Esq.

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Notary Public

State of Washington

SEAL:



## **Minnesota**

DESIGNATION OF COMMON CARRIERS	§	FEDERAL
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CARRIERS (ETC) TO RECEIVE FEDERAL	§	COMMUNICATIONS
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27, 1999. Section 254(e) of the Act, 47 U.S.C. § 254(e), provides that ETCs receiving universal service funding must “use that support only for the provision, maintenance, and upgrading of facilities and services for which the support is intended.” To implement this provision, the Federal Communications Commission (“FCC”) adopted a rule providing that an ETC may receive certain types of federal universal service funding only if the state commission files a certification that all federal high-cost support provided to the carrier will be used as required in Section 254(e). 47 C.F.R. § 54.313 -- § 54.314.

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4. As certified herein, Western Wireless will utilize all federal high-cost universal service support that it will receive in its designated ETC service area in Minnesota only for the provision, maintenance, and upgrading of facilities and services for which the support is intended.

5. First, Western Wireless will use federal high cost universal service funds to provide universal service.